

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

TIMOTHY McCLUSKEY,

Defendant.

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Case # 18-CR-189-FPG-MJR

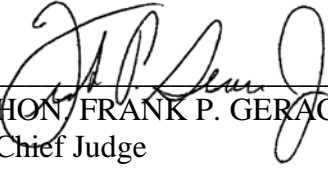
DECISION AND ORDER

On November 9, 2018, Defendant Timothy McCluskey consented to enter a guilty plea before United States Magistrate Judge Michael J. Roemer. ECF No. 4. Specifically, McCluskey agreed that Judge Roemer would conduct a plea allocution pursuant to Federal Rule of Criminal Procedure 11, determine if the plea was knowingly and voluntarily made and not coerced, and recommend whether this Court should accept the guilty plea. *Id.*

The same day, McCluskey appeared before Judge Roemer and entered a guilty plea to Count 1 of the Information. ECF No. 5. Judge Roemer made an oral Report and Recommendation at the plea proceeding and filed a written Report and Recommendation confirming that McCluskey's guilty plea met the requirements of Rule 11 and recommending that this Court accept the guilty plea. *Id.* Pursuant to 28 U.S.C. § 636(b), Judge Roemer's Report and Recommendation (ECF No. 6) is adopted in its entirety, the Court hereby accepts McCluskey's guilty plea, and Defendant is hereby adjudged guilty of violating 18 U.S.C. § 1349.

IT IS SO ORDERED.

Dated: November 26, 2018  
Buffalo, New York

  
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HON. FRANK P. GERACI, JR.  
Chief Judge  
United States District Judge